

Express Mail No. EL 809 718 158 US
Attorney Docket No. 5216.00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of

CRISTOFALO

Serial No. 09/851,030

Filed May 7, 2001

For: SYSTEM AND METHOD FOR PROVIDING TARGETED PROGRAMMING
OUTSIDE OF THE HOME

CERTIFICATE OF MAILING BY EXPRESS MAIL

BOX Assignment
Director – U.S. Patent and Trademark Office
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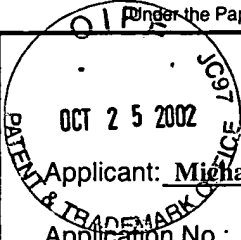
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Sir:

The undersigned hereby certifies that the attached: RECORDATION FORM COVER SHEET, ASSIGNMENT DOCUMENT, RETURN ACKNOWLEDGEMENT POSTCARD, \$40.00 CHECK; and this CERTIFICATE OF MAILING BY EXPRESS MAIL, all relating to the above application were deposited as "Express Mail", Mailing Label No. EL 809 718 158 US with the United States Postal Service, addressed to BOX Assignment, Director – U.S. Patent and Trademark Office, Washington, D.C. 20231, on August 17, 2001.

8-17-01
Date

Jane Lalis
Jane Lalis/DORSEY & WHITNEY LLP



STATEMENT UNDER 37 CFR 3.73(b)

Applicant: Michael Cristofalo

Application No.: 09/851,030

Filed: May 7, 2001

Entitled: System and Method for Providing Targeted Programming Outside of the Home

ACTV, Inc.

, a Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of an undivided part interest

in the patent application identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel 012093, Frame 0342, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

March 7, 2002
Date

Day L. Patterson
Signature

Day L. Patterson

Typed or printed name

General Counselor & V.P.

Title

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UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
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OCTOBER 24, 2001

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REPUBLIC PLAZA BUILDING
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SUITE 4700
DENVER, CO 80202

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UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

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THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 08/17/2001

REEL/FRAME: 012093/0342
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
CRISTOFALO, MICHAEL

DOC DATE: 08/16/2001

ASSIGNEE:
ACTV, INC.
225 PARK AVENUE SOUTH
18TH FLOOR
NEW YORK, NEW YORK 10003

SERIAL NUMBER: 09851030
PATENT NUMBER:

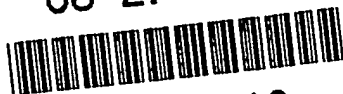
FILING DATE: 05/07/2001
ISSUE DATE:

DIANE RUSSELE, EXAMINER
ASSIGNMENT DIVISION
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08-27-2001



101823319

Docket No.: 5216.00

EET

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks

are attached original documents or copy thereof

1. Name of conveying party(ies):
Michael Cristofalo

8-17-01

Additional names(s) of conveying party(ies) ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other

Execution Date: August 16, 2001

2. Name and address of receiving party(ies):

Name: ACTV, Inc.

Internal Address: 18th Floor

Street Address: 225 Park Avenue South

City: New York State: NY ZIP: 10003

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or registration numbers(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)

09/851,030
filed 5/7/2001

B. Patent No.(s)

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Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Lee R. Osman, Esq.

Internal Address: Suite 4700

Republic Plaza Building

Street Address: 370 Seventeenth Street

City: Denver State: CO ZIP: 80202

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41): \$ 40.00

- ☒ Enclosed - Any excess or insufficiency should be credited or debited to deposit account
☐ Authorized to be charged to deposit account

8. Deposit account number:

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Cheryl Arnold Ferne

Name of Person Signing

Signature

August 17, 2001

Date

Total number of pages including cover sheet, attachments, and document:

3

ASSIGNMENT

WHEREAS, I, Michael Cristofalo, of 407 Appian Way, Doylestown, Pennsylvania 18901, have invented certain new and useful improvements in a SYSTEM AND METHOD FOR PROVIDING TARGETED PROGRAMMING OUTSIDE OF THE HOME, for which an application for Letters Patent of the United States has been made, said application may be identified in the United States Patent and Trademark Office (USPTO) by Serial No. 09/851,030, filed May 7, 2001.

Whereas, ACTV, Inc., a corporation organized and existing under the laws of the State of Delaware, and having its principal offices at 225 Park Avenue South, 18th Floor, New York, NY 10003-1604 (the "Assignee"), is desirous of acquiring the entire right, title and interest in and to said invention, said application and in, to and under any and all Letters Patent to be obtained therefor;

Now, therefore, for good and valuable consideration, the receipt of which is hereby acknowledged from the Assignee, I have sold, assigned and transferred, and by these presents do hereby sell, assign and transfer unto the said Assignee, its successors and assigns, my entire right, title and interest in and to said invention, said application, all divisions, continuations, continuations-in-part, reissues, or renewals thereof, and the Letters Patent, both foreign and domestic, that may or shall issue therefrom, including all reissues or extensions of such patents including all of my rights under the International Convention (collectively "the Patent Rights"), and I do hereby authorize and request the Commissioner of Patents to issue said Letters Patent to the above-mentioned Assignee in accordance herewith.

I further authorize said Assignee, its successors and assigns, or anyone it may properly designate, to apply for Letters Patent, in its own name if desired, in any and all foreign countries, and additionally to claim the filing date of said United States application and/or otherwise take advantage of the provisions of the International Convention.

I represent and warrant that I have the right and authority to execute this Assignment and to convey all my right, title, and interest in the Patent Rights, and that I have not conveyed nor will convey hereafter all or part of the Patent Rights therein to a third party; and I do hereby covenant and agree with the said Assignee, its successors and assigns, that I will not execute in writing or do any act whatsoever conflicting with these presents, and that I or my executors or administrators will at any time upon request, without further or additional consideration, but at the expense of the said Assignee, its successors and assigns, execute such additional writings and do such additional acts as said Assignee, its successors and assigns, may deem necessary or desirable to perfect the Assignee's enjoyment of this grant, and render all necessary assistance in making application for and obtaining original, continuation, continuation-in-part, divisional, reissued or extended Letters Patent of the United States, or of any and all foreign countries on said invention, and in enforcing any rights occurring as a result of such applications or patents, by giving testimony in any proceedings or transactions involving such applications or patents.

In Witness Whereof, I have hereunto set my hand and affixed my seal this 16 of August 2001.

Michael Cristofalo
Michael Cristofalo

Subscribed to and sworn to before me this 16 day of August, 2001.

Linda F. Baldomer
Notary Public

My commission expires: 2-17-03

Notary Seal

